

DARYL HENSLEY,)
)
Plaintiff,)
)
vs.) **ORDER OF REMAND**
)
CAROLYN W. COLVIN, Acting)
Commissioner of Social Security)
Administration,)
)
Defendant.)
)

Sentence four of 42 U.S.C. § 405(g) provides, in pertinent part, that “[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a

rehearing.” The Defendant here has moved for reversal of her decision and for remand of this case for further administrative proceedings.

The Court finds that remand is appropriate. See Melkonyan v. Sullivan, 501 U.S. 89, 111 S.Ct. 2157, 115 L.Ed.2d 78 (1991). Upon remand to the Commissioner, the Appeals Council shall instruct the Administrative Law Judge to: (1) offer the claimant an opportunity for a new hearing; (2) consider the severity of the claimant’s cognitive and intellectual disability under Listings 12.02 and 12.05C; (3) reevaluate the psychological opinion evidence and provide a weighted analysis explaining the conclusions reached in assessing the claimant’s maximum residual functional capacity; (4) if required, obtain medical expert testimony on whether the claimant meets or equals the severity of the listings; (5) consider the claimant’s employer’s letter in accordance with SSR 06-03p; and (6) if necessary, determine whether there are jobs that the claimant can perform.

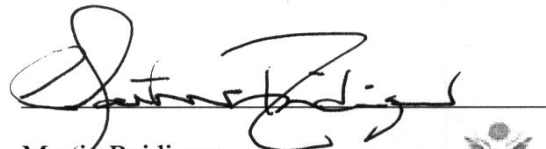
IT IS, THEREFORE, ORDERED that the Defendant’s Assented to Motion for Entry of Judgment under Sentence Four of 42 U.S.C. § 405(g) with Reversal and Remand of the Case to the Defendant [Doc. 14] is **GRANTED**.

IT IS FURTHER ORDERED that the decision of the Commissioner of Social Security is hereby **REVERSED** and this case is hereby **REMANDED** for further administrative proceedings, consistent with this Order.

The Clerk of Court shall enter a separate Judgment of Remand simultaneously herewith, thereby closing the case.

IT IS SO ORDERED.

Signed: November 6, 2013


Martin Reidinger
United States District Judge

